

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Thereby certify that this transmittal of the below described document is being deposited with the United States Postal Service in an envelope bearing First Class Postage and addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450, on the below date of deposit.

Date of Deposit:	01/10/05	Name of Person Making the Deposit:	KATHERINE RINALDI	Signature of the Person Making the Deposit:	<i>Katherine Rinaldi</i>
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In re Application of: Levenberg

Application No.: 09/844,925

Examiner: Kristie Shingles

Filed: 04/26/01

Art Unit: 2141

Confirmation No.: 8281

For: IMAGE RUN ENCODING

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application

Transmitted herewith is a response to an office action for the above identified patent application.

( ..... sheets)

Transmitted herewith are ..... sheets of substitute formal drawings.

Other:

2. Applicant is other than a small entity

**Extension of Term**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(a)  Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

<u>Extension</u>	<u>Fee</u>
<input type="checkbox"/> one month	\$120.00
<input type="checkbox"/> two months	\$450.00
<input type="checkbox"/> three months	\$1,020.00
<input type="checkbox"/> four months	\$1,590.00
<input type="checkbox"/> five months	\$2,160.00
<b><u>Fee \$</u></b>	

If an additional extension of time is required, please consider this a petition therefor.

(b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**Fee Calculation**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

<b>(for other than a small entity)</b>					
Fee Items	Claims Remaining After Amendment	Highest Number of Claims Previously Paid For	Present Extra Claims	Fee Rate	Total
Total Claims	21	- 21 =	0	x \$50.00	\$0.00
Independent Claims	3	- 3 =	0	x \$200.00	\$0.00
Multiple Dependent Claim Fee (one or more, first added by this amendment)				\$360.00	\$0.00
<b>Total Fees</b>					<b>\$0.00</b>

**PAYMENT OF FEES**

5. The full fee due in connection with this communication is provided as follows:

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No.: 23-0085. A duplicate copy of this authorization is enclosed.

A check in the amount of \$

Charge any fees required or credit any overpayments associated with this filing to Deposit Account No.: 23-0085.

Please direct all correspondence concerning the above-identified application to the following address:

**WAGNER, MURABITO & HAO LLP**  
 Two North Market Street, Third Floor  
 San Jose, California 95113  
 (408) 938-9060  
 Customer No: 45548

Respectfully submitted,

Date: 1/10/2005

By:   
 Anthony C. Murabito  
 Reg. No. 35,295

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 14 2005  
PATENT & TRADEMARK OFFICE

In re Application of )  
LEVENBERG )  
Serial No. 09/844,925 )  
Filing Date: 04/26/2001 )  
For: IMAGE RUN )  
ENCODING )  
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)  
Examiner: Kristie Shingles  
Art Unit: 2141

Mail Stop Amendments  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Examiner:

In response to the Office Action mailed on August 24, 2004, Applicant respectfully requests further examination and reconsideration of the above captioned patent application in view of the arguments set forth below.

Serial No: 09/844,925  
Examiner: Kristie Shingles

Art Unit: 2141  
PALM-3542.PSI